

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JONATHAN MAJDANSKI,

Plaintiff,

-v-

No. 13CV4483-LTS-RLE

M.D.C. BROOKLYN et al.,

Defendants.

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ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff Jonathan Majdanski (“Plaintiff”) brings this action pursuant to 42 U.S.C. § 1983, complaining of his living conditions while imprisoned in the Metropolitan Detention Center and health issues he allegedly developed as a result of those living conditions. (Compl., docket entry no. 1.)

On March 16, 2015, Magistrate Judge Ronald Ellis issued a Report and Recommendation (“Report”), which recommended that the action be dismissed without prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

In reviewing a report and recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C.S. § 636(b)(1)(c) (LexisNexis 2001). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” Wilds v. United Parcel Service, Inc., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (internal citations and quotations marks omitted).

Having reviewed Magistrate Judge Ellis' Report, to which no objection or response was made, the Court finds no clear error. Therefore, the Court adopts the Report in its entirety. Accordingly, the Court dismisses the case without prejudice. The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: New York, New York
July 21, 2015

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

Copy mailed to:

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